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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,179	06/20/2003	Steven E. Barile	42P15785	9758
8791	7590	12/18/2006	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			KIANERSI, MITRA	
			ART UNIT	PAPER NUMBER
			2145	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	12/18/2006	PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/600,179	BARILE, STEVEN E.	
	Examiner Mitra Kianersi	Art Unit 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 20 June 2003.  
 2a) This action is **FINAL**.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-27 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-27 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 20 June 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_  
 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katinsky et al. US. Patent No. 6, 452,609)

1. As per claims 1, 12 and 17, a method for caching multimedia content to an occasionally-connected device, comprising:
  - creating a play list based at least in part on a user's preferences; (col 1, lines 51-58)
  - submitting the play list to a multimedia content provider through a network; submits changes in the current tab play list to the user database 1012. (col 11, lines 15-18)
  - downloading multimedia content in the play list to a device when the device is connected to the multimedia content provider and caching the multimedia content on the device; and once the object player begins buffering the media stream, the media type and image size are determined from the media icon data source object (step 1412). (col 13, lines 1-6)

Katinsky et al. have been cited for playing the cached multimedia content, which is directed to a method of operating a web page while the device is not connected to the multimedia content provider (once the object player buffers the media stream, the media object starts playing (step 1430) and (col 13, lines 18-20). Therefore, it would have been obvious to one of ordinary skill in the art to employ katinsky in order to enhance multimedia content provider when Multiple sources of streaming content are displayed to a user, and user input is received to select a playing order for the sources of streaming content. The playing order is stored, user input is received to start delivering

the streaming content to the user, and the streaming content is presented to the user in the stored order.

2. As per claims 2 and 18, the method wherein creating a play list comprises:  
-creating an initial play list based on at least one of the following: the user's specifications, a play list pre-defined by the user, and a play list pre-determined by the multimedia content provider; (col 4, lines 50-65)  
-expanding the initial play list by recommending to the user additional content based on the user's preferences; and refining the expanded initial play list based on the user's feedback.(col 4, lines 1-2 and col 5, lines 1-27)
3. As per claims 3 and 19, the method wherein expanding the initial play list comprises cross-pollinating the initial play list using play lists of other users. (col 5, lines 55-61)
4. As per claims 4 and 20, the method wherein the device comprises a portable device. (col 7, lines 20-25 and col 8, lines 33-50)
5. As per claims 5 and 21, the method wherein playing the multimedia content comprises accessing the multimedia content and rendering the multimedia content to the user. (col 13, lines 1-6)
6. As per claims 6 and 22, the method wherein accessing the multimedia content comprises at least one of the following: unpacking, decrypting, decompressing, and decoding the multimedia content. (the step is inherent, since the HTML page is assembled appropriate to the browser configuration to display the media icons from the mailed play list).

Art Unit: 2145

7. As per claims 7 and 23, the method, wherein the network comprises at least one of the following: a local area network, a wide area network, the Internet, a terrestrial broadcast network, and a wireless network. (col 7, line 21)

8. As per claims 8 and 24, a method for distributing multimedia files, comprising: accepting a play list of multimedia files; (col 1, line 51-58) searching a database for multimedia content according to the play list; (col 1, lines 59-67 and col 2, lines 1-29) processing the multimedia content before the multimedia content is downloaded; and transferring the multimedia content to an occasionally-connected device. (col 13, lines 64-67 and col 14, lines 1-9)

9. As per claims 9 and 25, the method wherein the occasionally connected device comprises a portable device. (col 6, line 8)

10. As per claims 10 and 26, the method wherein processing the multimedia files comprises at least one of the following: packaging, encrypting, compressing, and encoding the multimedia files. (the step is inherent, since the HTML page is assembled appropriate to the browser configuration to display the media icons from the mailed play list).

11. As per claims 11 and 27, the method wherein the database comprises at least one of static and dynamic multimedia content. (col 10, lines 17-37)

12. As per claims 12, a system for caching multimedia contents to an occasionally connected device, comprising:

- a play list creator capable of creating a play list of multimedia files; (col 1, lines 51-58)
- a multimedia content provider capable of providing multimedia files specified by the play list for a user to download; (col 13, lines 1-6)
- the multimedia content and rendering the multimedia content to the user. (col 13, lines 1-6)

a multimedia content rendering mechanism capable of rendering the multimedia files to a user, (col 13, lines 1-6)

13. The system of claim 14, wherein the multimedia content player comprises:  
a communication port,  
a multimedia content access module capable of at least one of the following: unpacking, decrypting, decompressing, and decoding the multimedia files stored in the multimedia content cache; (the step is inherent, since the HTML page is assembled appropriate to the browser configuration to display the media icons from the mailed play list).  
a multimedia content rendering mechanism capable of rendering the multimedia files to a user, (col 13, lines 1-6)

14. The system of claim 15, the system wherein the multimedia content provider comprises:

a communication port; (col 8, lines 30-40)  
a multimedia content database; (col 15, lines 17-43)  
a searching mechanism capable of searching the multimedia content database for multimedia files in the play list; (col 14, lines 62-67 and col 15, lines 1-16)  
a content processing mechanism capable of at least one of the following:  
packaging, encrypting, compressing, and encoding the multimedia files, (the step is inherent, since the HTML page is assembled appropriate to the browser configuration to display the media icons from the mailed play list).

15. The system of claim 16, the system wherein the multimedia content cache comprises:

a communication port; (col 8, lines 30-40)  
a receiving component capable of downloading and receiving the multimedia files from the multimedia content provider through a network; (col 13, lines 1-6)  
a storage component capable of storing the multimedia files. (col 13, lines 1-6) and (col 11, lines 1-6)

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mitra Kianersi whose telephone number is (571) 272-3915. The examiner can normally be reached on 8:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cordone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mitra Kianersi  
Dec/06/2006



JASON CARDONE  
SUPERVISORY PATENT EXAMINER